

REMARKS

Claims 1-12 are pending in this application. By this Amendment, new claim 12 is added. No new matter is added. The specification and original claims provide support for the new claim.

In view of the foregoing amendments and following remarks, reconsideration of the application is respectfully requested.

I. **Allowable Subject Matter**

Applicants thank the Examiner for the indication that claim 5 contains allowable subject matter.

II. **Rejection Relying Upon JP 08-107047**

Claims 1, 4 and 11 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by JP 08-107047. Claims 2, 3 and 6-10 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over JP 08-107047. These rejections are respectfully traversed.

Claim 1 recites an electrochemical capacitor comprising an anode and a cathode opposing each other, an insulating separator disposed between the anode and cathode, an electrolytic solution and a casing accommodating the anode, cathode, separator, and electrolytic solution in a closed state wherein the anode contains a substantially spherical carbon material having an electronic conductivity as a constituent material and the cathode contains a fibrous carbon material having an electronic conductivity as a constituent material.

JP 08-107047 discloses an electric double layer capacitor having two electrodes composed of active carbon materials wherein the active carbon material used as a cathode has a specific surface area from 500 m²/g to 1500 m²/g and the active carbon material used as an anode has a specific surface area from 1000 m²/g to 2500 m²/g, wherein the specific surface area of the active carbon material used as the cathode is smaller than the specific surface area of the active carbon material used as the anode.

The Patent Office asserts that JP 08-107047 discloses the limitations of claim 1.

However, nowhere does JP 08-107047 disclose an electrochemical capacitor having an anode which contains substantially spherical carbon material and a cathode which contains fibrous carbon material as required in claim 1 (and new claim 12). JP 08-107047 merely discloses an activated carbon powder or particle and an activated fibrous carbon as examples of activated carbon material (see paragraph 19 on page 3 of the translation). Such broad description in JP 08-107047 does not disclose or suggest an embodiment wherein the anode is specifically a substantially spherical carbon material and the cathode is specifically a fibrous carbon material. As such, JP 08-107047 does not anticipate the electrochemical capacitor of claim 1 or claims dependent therefrom.

The use of an anode containing substantially spherical carbon material and a cathode containing fibrous carbon material produces beneficial effects. For example, Example 1 of the present application provides an electrochemical capacitor having an internal resistance and rate characteristic much more favorable as compared to an electrochemical capacitor of Comparative Examples 1-3 wherein an activated carbon is used as both the anode material and the cathode material. JP 08-107047 fails to teach or suggest the recited structure of the claimed electrochemical capacitor or the advantages associated therewith, and thus does not teach or suggest the present claims.

For the foregoing reasons, Applicants submit that JP 08-107047 fails to anticipate or render obvious the subject matter of the claims of the present application. Reconsideration and withdrawal of the rejections are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jori B. Krischke
Registration No. 57,349

JAO:JBK/rav

Date: June 21, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--